

House Engrossed Senate Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 187

SENATE BILL 1335

AN ACT

AMENDING TITLE 13, CHAPTER 36, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3609; RELATING TO FAMILY OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 13, chapter 36, Arizona Revised Statutes, is amended
3 by adding section 13-3609, to read:

4 13-3609. Child bigamy; classification; definitions

5 A. A PERSON COMMITS CHILD BIGAMY IF THE PERSON KNOWINGLY DOES ANY OF
6 THE FOLLOWING:

7 1. IS AT LEAST EIGHTEEN YEARS OF AGE, HAS A SPOUSE AND MARRIES A
8 CHILD.

9 2. IS AT LEAST EIGHTEEN YEARS OF AGE AND DIRECTS, CAUSES OR CONTROLS,
10 EITHER ALONE OR IN ASSOCIATION WITH OTHERS, THE MARRIAGE OF A CHILD TO A
11 PERSON WHO ALREADY HAS A SPOUSE.

12 3. IS AT LEAST EIGHTEEN YEARS OF AGE AND, EITHER ALONE OR IN
13 ASSOCIATION WITH OTHERS, DIRECTS, CAUSES OR CONTROLS THE MARRIAGE OF A CHILD
14 IF THE CHILD ALREADY HAS A SPOUSE.

15 4. TRANSPORTS OR FINANCES THE TRANSPORTATION OF A CHILD TO PROMOTE
16 MARRIAGE BETWEEN THE CHILD AND A PERSON WHO ALREADY HAS A SPOUSE.

17 5. IS AT LEAST EIGHTEEN YEARS OF AGE AND MARRIES A CHILD IF THE CHILD
18 ALREADY HAS A SPOUSE.

19 6. TRANSPORTS OR FINANCES THE TRANSPORTATION OF A CHILD WHO ALREADY
20 HAS A SPOUSE TO PROMOTE MARRIAGE BETWEEN THE CHILD AND ANOTHER PERSON.

21 B. THIS SECTION DOES NOT APPLY IF A PERSON WHO MARRIES A CHILD:

22 1. HAS A SPOUSE WHO HAS BEEN ABSENT FOR AT LEAST FIVE SUCCESSIVE YEARS
23 WITHOUT BEING KNOWN TO THE PERSON WITHIN THAT TIME TO BE LIVING.

24 2. HAS A FORMER MARRIAGE THAT HAS BEEN PRONOUNCED VOID, ANNULLED OR
25 DISSOLVED BY JUDGMENT OF A COMPETENT COURT.

26 C. A VIOLATION OF THIS SECTION IS A CLASS 3 FELONY.

27 D. FOR THE PURPOSES OF THIS SECTION:

28 1. "MARRIAGE" MEANS THE STATE OF JOINING TOGETHER AS HUSBAND AND WIFE
29 THROUGH AN AGREEMENT, PROMISE OR CEREMONY REGARDLESS OF WHETHER A MARRIAGE
30 LICENSE HAS BEEN ISSUED BY THE APPROPRIATE AUTHORITY.

31 2. "MARRY" MEANS TO JOIN TOGETHER AS HUSBAND AND WIFE THROUGH AN
32 AGREEMENT, PROMISE OR CEREMONY REGARDLESS OF WHETHER A MARRIAGE LICENSE HAS
33 BEEN ISSUED BY THE APPROPRIATE AUTHORITY.

34 3. "SPOUSES" MEANS TWO PERSONS LIVING TOGETHER AS HUSBAND AND WIFE,
35 INCLUDING THE ASSUMPTION OF THOSE MARITAL RIGHTS, DUTIES AND OBLIGATIONS THAT
36 ARE USUALLY MANIFESTED BY MARRIED PEOPLE, INCLUDING BUT NOT NECESSARILY
37 DEPENDENT ON SEXUAL RELATIONS.

APPROVED BY THE GOVERNOR MAY 3, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 3, 2004.